

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

_____)	
COMMUNITY HEALTH CHOICE, INC.,)	
)	
Plaintiff,)	No. 18-0005C
)	
v.)	Filed: February 28, 2022
)	
THE UNITED STATES,)	
)	
Defendant.)	
_____)	

ORDER

On February 24, 2022, the parties filed a Joint Stipulation for Entry of Partial Final Judgment (ECF No. 62). The parties advise the Court that, following the Federal Circuit’s rulings in *Community Health Choice, Inc v. United States*, 970 F.3d 1364, 1371 (Fed. Cir. 2020), and *Sanford Health Plan v. United States*, 969 F.3d 1370, 1373 (Fed. Cir. 2020), the parties agree that Plaintiff is entitled to damages for certain unpaid cost-sharing reduction (“CSR”) payments under § 1402 of the Patient Protection and Affordable Care Act.

The parties stipulate to partial judgment for Plaintiff in the amount of \$11,174,299.10 on Count IV of the Amended Complaint for unpaid CSR payments through December 31, 2017, with each party to bear its own costs, attorney fees, and expenses. The parties also stipulate to partial dismissal with prejudice of Count IV of the Amended Complaint as it relates to Plaintiff’s claim for CSR payments through December 31, 2017, and dismissal of Counts V and VI of the Amended Complaint with prejudice. The parties agree that the partial judgment and dismissal does not affect or include Count IV as it relates to CSR payments *after* December 31, 2017.

Having determined pursuant to Rule 54(b) of the Rules of the United States Court of Federal Claims that there is no just reason for delay, the Court directs the Clerk to enter judgment

on Count IV of the Amended Complaint in favor of Plaintiff in the amount of \$11,174,299.10 for CSR payments through December 31, 2017. The Court further **ORDERS** that Count IV of the Amended Complaint is **DISMISSED** in part with prejudice as it relates to Plaintiff's claim for CSR payments through December 31, 2017. The Court also **ORDERS** that Counts V and VI of the Amended Complaint are **DISMISSED** with prejudice.

SO ORDERED.

Dated: February 28, 2022

/s/ Kathryn C. Davis
KATHRYN C. DAVIS
Judge